

INFORMATION PAPER

EANC-HC-JA
7 December 2006

SUBJECT: Ethics - 2006 Holiday Party Guidance

1. **Purpose.** To provide ethics guidance to Area III Leaders regarding Unit and Organizational Holiday Parties during the 2006 holiday season.

2. **General Rule:** Federal personnel may not accept gifts offered because of their official positions or offered by a “prohibited source.” A prohibited source is any one who: a) Seeks official action by the employee’s agency; b) does business or seeks to do business with the employee’s agency; c) conducts activities regulated by the employee’s agency; d) has interests that may be substantially affected by the employee’s performance of duty; or e) is an organization composed of members described above. Exceptions follow.

3. Parties, Open-Houses, and Receptions Hosted by Prohibited Sources Including Contractors:

a. Exception #1: Federal personnel may accept gifts (other than cash) not exceeding **\$20**, as long as the total amount of gifts that the personnel accepts from that source does not exceed **\$50** for the year (the “20/50 rule”).

b. Exception #2: Federal personnel may accept gifts, even from a contractor employee that are based on a **bona fide personal relationship**. (Such personal gifts are actually paid for personally by the contractor employee not by the contractor.)

c. Exception #3: Federal personnel may generally attend an open-house or reception, and accept any gift of refreshments if it is a **widely-attended gathering**, and the employee's supervisor determines that it is in the agency's interest that the employee attends.

d. Exception #4: Federal personnel may accept invitations (even from contractors) that are open to the public, all Government employees, or all military personnel.

e. Exception #5: Refreshments consisting of soft drinks, coffee, pastries, or similar refreshments not constituting a meal may be accepted since they are not considered to be a gift.

f. Exception #6: Outside business or other relationship results in attendance at an event. For example, a Federal employee’s spouse works at DynCorp. The Federal employee may accompany the spouse to the DynCorp employee holiday party since the invitation is to the spouse as a DynCorp employee, and not to the Federal employee because of his or her position.

5. **Parties, Open-Houses, and Receptions Hosted by Other Federal Personnel:** You may accept personal hospitality at the residence of a subordinate that is customarily provided on the occasion. If you receive an invitation from your boss or co-worker, there are no restrictions.

6. **Gifts and Gift Exchanges Between Federal Personnel:** General Rule: Supervisors may **not** accept gifts from subordinates or Federal personnel who receive less pay. Please note, there

are no legal restrictions on gifts given to peers or subordinates, however, commonsense (and good taste) should apply.

a. Exception #1: During holidays, which occur on an occasional basis, supervisors may accept gifts (other than cash) of **\$10 or less** from a subordinate.

b. Exception #2: Supervisors may accept food and refreshments shared in the office and may share in the expenses of an office party.

c. Exception #3: If a subordinate is invited to a social event at the supervisor's residence, the subordinate may give the supervisor a hospitality gift of the type and value customarily given on such an occasion.

7. Other Important Information:

a. You may not solicit outside sources for contributions for your party. This includes funds, food, and items. Generally office parties are unofficial events, and you may not use appropriated funds to pay for them. Beware that door prizes or drawings could involve gambling, which would require compliance with state statutes and Federal regulations. You may not use appropriated funds to purchase and send Greeting cards.

b. As a general rule, participation at holiday social events is personal, not official, and therefore use of government vehicles to/from such events would not be authorized. However, there may be very limited circumstances in which a senior official or officer is invited to attend because of his official position and where he will be performing official functions at the event as opposed to being invited because he or she is an important person. In these situations, use of a government vehicle may be authorized, so long as the travel begins and ends from your duty location and not your personal residence. All requests for use of a government vehicle to attend holiday social events should be reviewed on a case-by-case basis.

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Approved By: _____

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